



III.

This Court has jurisdiction over the subject matter of this action under Section 502(e)(1) and (f) of the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §1132(e)(1) and (f) and under §301(a) of the Taft-Hartley Act, 29 U.S.C. §185(a).

IV.

Venue is proper in this District under Section 502(e)(2) of ERISA, 29 U.S.C. §1132(e)(2), because the plaintiff trust fund is administered in this District.

V.

Defendant is a Delaware corporation.

VI.

Defendant is bound to a collective bargaining agreement with Locals 848, 853, 683 of the International Brotherhood of Teamsters (hereinafter "Locals"), under which the Defendant is required to promptly and fully report for and pay monthly contributions to the Trust at specific rates for each hour of compensation (including vacations, holidays, overtime and sick leave) the Defendant pays to its employees who are members of the bargaining unit represented by the Locals. Such bargaining unit members are any of the Defendant's part-time or full-time employees who perform any work task covered by the Defendant's collective bargaining agreements with the Locals, whether or not those employees ever actually join the Locals.

## VII.

Defendant accepted the Plaintiff's Trust Agreement and Declaration and agreed to pay liquidated damages equal to twenty percent (20%) of all delinquent and delinquently paid contributions due to the Trust, together with interest accruing upon such delinquent contributions at varying annual rates from the first day of delinquency until fully paid, as well as attorney's fees and costs the Trust incurs in connection with the Defendant's unpaid obligations.

## VIII.

For Account Nos. 217007, 203427, 216843, 216844, 216845, and 216847:

Since the first day of November 2017, Defendant has failed to promptly report for and pay to the Plaintiff Trust all amounts due as described above, and only Defendant's records contain the detailed information necessary to an accurate determination of the extent of the Defendant's unpaid obligations to the Trust.

For Account Nos. 213128 and 216846:

For the employment period November 2017 and since the first day of January 2018, Defendant has failed to promptly report for and pay to the Plaintiff Trust all amounts due as described above, and only Defendant's records contain the detailed information necessary to an accurate determination of the extent of the Defendant's unpaid obligations to the Trust.

For Account No. 203426:

Since the first day of December 2017, Defendant has failed to promptly report for and pay to the Plaintiff Trust all amounts due as described above, and only

1 Defendant's records contain the detailed information necessary to an accurate  
2 determination of the extent of the Defendant's unpaid obligations to the Trust.

3 For Account Nos. 215194, 216086, and 217008:

4 Since the first day of January 2018, Defendant has failed to promptly report for  
5 and pay to the Plaintiff Trust all amounts due as described above, and only  
6 Defendant's records contain the detailed information necessary to an accurate  
7 determination of the extent of the Defendant's unpaid obligations to the Trust.  
8

9 WHEREFORE, the Plaintiff prays to the Court as follows:

10 1. That Defendant be compelled to render a monthly accounting to the  
11 Plaintiff's attorneys and set forth in it the names and respective social security  
12 numbers of each of the Defendant's employees who are members of the bargaining  
13 unit represented by the Local, together with the total monthly hours for which the  
14 Defendant compensated each of them, for the following account numbers for the  
15 following the employment periods to the date of service of this Complaint to collect  
16 Trust Funds, and for whatever amounts may thereafter accrue;  
17

18 For Account Nos. 217007, 203427, 216843, 216844, 216845, and 216847:

19 Since the first day of November 2017, Defendant has failed to promptly report  
20 for and pay to the Plaintiff Trust all amounts due as described above, and only  
21 Defendant's records contain the detailed information necessary to an accurate  
22 determination of the extent of the Defendant's unpaid obligations to the Trust.  
23  
24  
25  
26

For Account Nos. 213128 and 216846:

For the employment period November 2017 and since the first day of January 2018, Defendant has failed to promptly report for and pay to the Plaintiff Trust all amounts due as described above, and only Defendant's records contain the detailed information necessary to an accurate determination of the extent of the Defendant's unpaid obligations to the Trust.

For Account No. 203426:

Since the first day of December 2017, Defendant has failed to promptly report for and pay to the Plaintiff Trust all amounts due as described above, and only Defendant's records contain the detailed information necessary to an accurate determination of the extent of the Defendant's unpaid obligations to the Trust.

For Account Nos. 215194, 216086, and 217008:

Since the first day of January 2018, Defendant has failed to promptly report for and pay to the Plaintiff Trust all amounts due as described above, and only Defendant's records contain the detailed information necessary to an accurate determination of the extent of the Defendant's unpaid obligations to the Trust.

2. That it be granted judgment against Defendant for:

- a. All delinquent contributions due to the Trust;
- b. All liquidated damages and pre-judgment interest due to the Trust;
- c. All attorney's fees and costs incurred by the Trust in connection with the Defendant's unpaid obligation; and

REID, McCARTHY, BALLEW & LEAHY,  
L.L.P.

Russell J. Reid, WSBA #2560  
Attorney for Plaintiff